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FISH&RICHARDSON

APR 13 2007

Attorney's Docket No.: 08935-170001 / M-4860

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Alexander Kaplan et al. Art Unit : 1725
Serial No. : 09/558,645 Examiner : Jonathan J. Johnson
Filed : April 26, 2000 Conf. No. : 9640
Title : CATHODE FOR AIR ASSISTED BATTERY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER UNDER 37 C.F.R. §§ 3.73(b) AND 1.321(b)

Pursuant to 37 C.F.R. § 3.73(b), THE GILLETTE COMPANY, a Delaware corporation, certifies that it is the assignee of the entire right, title, and interest in the above-referenced application by virtue of:

☒ An assignment from the inventors of the above-referenced patent application. The assignment was recorded in the Patent and Trademark Office at Reel 011088, Frame 0221 on September 7, 2000, or a copy thereof is attached.

To the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned is empowered to act on behalf of the assignee.

Pursuant to 37 C.F.R. § 1.321(b), and to obviate a double patenting rejection, the assignee identified above hereby waives and disclaims the terminal portion of the term of the entire patent to be granted upon the above-referenced application subsequent to the expiration date of U.S. Pat. 6,399,243 provided that any patent granted on the above-referenced application shall be enforceable only for and during such period that it is commonly owned with U.S. Pat. 6,399,243.

The assignee identified above does not disclaim any terminal part of any patent granted on the above-referenced application prior to the expiration date of the full statutory term of U.S. Pat. 6,399,243 in the event that it later expires for failure to pay a maintenance fee, is held

CERTIFICATE OF TRANSMISSION BY FACSIMILE

I hereby certify that this correspondence is being transmitted by facsimile to the Patent and Trademark Office on the date indicated below.

April 13, 2007

Date of Transmission

Signature

Sherry L. Hunt

Typed or Printed Name of Person Signing Certificate

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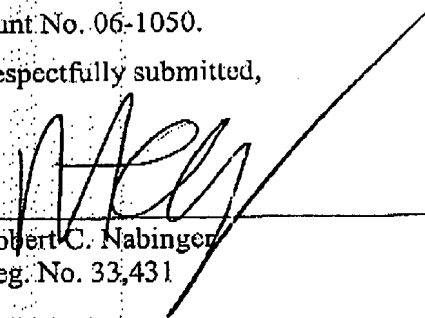
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unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title as stated above. Assignee herein does not disclaim or otherwise affect any part of U.S. Pat. 6,399,243.

This disclaimer runs with any patent granted on the above application and is binding upon the grantee, its successors or assigns.

Enclosed is a check for \$130 for the required fee pursuant to 37 C.F.R. § 1.20(d). Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: April 11, 2007
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